

In the Matter of:

JULIE ANN HAMSTEAD

VS

FORMER TROOPER D.R. WALKER

NEWLIN, JASON

November 19, 2019

Liberty Reporting

West Virginia, Virginia & Maryland

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JASON NEWLIN, 11/19/2019

1 from him?

2 A. It's on Charles --

3 MR. JEFFRIES: Objection.

4 Q. Correct?

5 MR. JEFFRIES: Misstates his testimony.

6 Q. Isn't that correct? You don't even remember
7 that?

8 A. If it's on a Charles Town Police Department
9 statement form, then I obtained it; however, like I
10 explained, I did not read them.

11 Q. So the individual who assigned the taking of
12 statements, Trooper Walker assigned that to you;
13 correct?

14 A. No, sir. I asked him if he wanted me to
15 obtain statements.

16 Q. And then you took that on?

17 A. Yes.

18 Q. You asked him to take charge of the
19 investigation so you wouldn't have to do it?

20 MR. JEFFRIES: Objection. Misstates his
21 testimony.

22 Q. Is that correct?

23 A. Is that a question or a statement?

24 Q. It's a question.

JASON NEWLIN, 11/19/2019

1 A. With him making the arrest, it is more
2 beneficial for him to handle the entire thing since the
3 incidence with your client happened with him.

4 Q. Okay. It was more beneficial for him to
5 conduct the investigation because of the incident of
6 what happened between Julie Hamstead and him; is that --
7 is that what you're saying.

8 A. Rather than having multiple reports, there
9 would only be one.

10 Q. It was your jurisdiction?

11 A. He's a State Trooper; he's got jurisdiction
12 everywhere.

13 Q. You didn't have primary jurisdiction in
14 Charles Town at that time?

15 A. State Police has jurisdiction everywhere in
16 the State of West Virginia; so if I wanted to turn over
17 an investigation to him, by all means that's my --
18 that's my right. I can do that.

19 Q. But are you testifying that you thought he was
20 going to go back and get more statements after you
21 finished?

22 A. No, I never said that.

23 Q. You didn't think he was, either, did you?

24 A. No, I obtained the statements we needed from

JASON NEWLIN, 11/19/2019

1 A. My position on -- I don't have a position to
2 be made. I didn't investigate nor charge.

3 Q. So you didn't weigh in at any time on the
4 issue of whether she would have to do these 12 hours or
5 whatever it was, this jail time, to match up with what
6 time she would have spent in jail if she hadn't
7 exercised her right to arraignment?

8 A. It's possible.

9 Q. Okay.

10 A. Yeah, I'm not going to say no. I'm not going
11 to say yeah. I mean, it's highly possible because of
12 the opinion that I had over the whole arraignment
13 process.

14 Q. You felt that was unfair to give her special
15 treatment just because she got an arraignment that
16 night?

17 A. Right. A hundred percent of the other people
18 we arrest don't get that same luxury.

19 Q. Right. So therefore, yeah, you thought that
20 would be unfair?

21 A. Being fair?

22 Q. Be unfair?

23 A. Right. Yeah. Right, they came out at
24 midnight to do an arrangement when generally they only

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1 come out after hours for search warrants and emergency
2 protective orders or emergency juvenile hearings.

3 Q. You don't -- do you not know that an
4 individual has a constitutional right to an arraignment?

5 A. I one hundred percent understand they have the
6 constitutional right to an arraignment.

7 Q. Do you not believe they have the
8 constitutional right to a speedy arraignment before
9 they're jailed?

10 A. Right. But my 13 years here I've never seen
11 that happen before.

12 Q. I understand that. I'm not -- I'm not
13 questioning your knowledge of that procedure. I'm just
14 asking you.

15 A. Right. I'm a 100 percent aware of their right
16 to speedy due process.

17 Q. Especially, if they've been falsely charged,
18 that would really matter a lot, wouldn't it?

19 MR. JEFFRIES: Object to the form.

20 A. No.

21 Q. Doesn't matter whether they're falsely charged
22 or not, they still should go to jail?

23 MR. JEFFRIES: Object to the form.

24 A. They have a right to an arraignment but same

JASON NEWLIN, 11/19/2019

1 Q. And it does not show any other vehicles along
2 1st Avenue other than that one that we talked about
3 first. And you see a white truck coming in there.
4 Double cab; right?

5 A. Right.

6 Q. That truck comes in at 1617:38. But according
7 to the 9-1-1 you were not dispatched until 1621:38.
8 What we talked about before.

9 A. Right. How accurate is this time compared to
10 the world clock? This -- these times are set off the
11 world clock and the most accurate. APU has a tendency
12 of being a little bit off. So do you know how accurate
13 this time really is?

14 Q. Okay. Regarding the statement that it's a
15 little bit off, could you quantify that?

16 A. I'm just wondering if this is an accurate time
17 as it relates to these here. I don't know.

18 Q. Right.

19 A. I've never seen this video.

20 Q. Okay. But why do you indicate that APU is
21 known for being a little bit off?

22 A. Because when we've reviewed prior crimes there
23 and their time have been a little bit off.

24 Q. How far?

JASON NEWLIN, 11/19/2019

1 indicate that I ran it.

2 Q. Doesn't say 112?

3 A. No. It says 112 I'm in the unit but it
4 doesn't say that I ran it or if that tag was provided to
5 our dispatcher I had to run them.

6 Q. So you're suggesting that somebody may have
7 called you before 1627 and given you this information
8 before you ever got there?

9 A. Well, I can tell you this: the time also
10 indicates that Trooper Walker's there by now marking on
11 scene via dispatch.

12 Q. Sure does.

13 A. And we're past that time already.

14 Q. Yes. Something's wrong, isn't it?

15 A. I'll venture to say it's your video times.
16 There's no way that every one of these times from the
17 dispatcher are incorrect. I'd say one time on a clock
18 or a camera as compared to -- to two, four, six, eight,
19 10, 12, 14, 16, 18, 20 times by dispatcher are
20 incorrect.

21 Q. Well, dispatcher just puts down when people
22 call?

23 A. The computer -- as soon as they enter a note,
24 the computer automatically time stamps it.

JASON NEWLIN, 11/19/2019

1 again and we're on the second half and it's 629.

2 A. Okay. That's what I was asking, which video
3 we're on.

4 Q. So we overlapped it a little bit.

5 A. This is north side APU second half?

6 Q. Correct. It is. Do you see a -- looks like a
7 yellow vested worker coming over and talking on the
8 passenger side of Sig's car?

9 A. Right.

10 Q. He appears to be repositioning his car backing
11 up; correct?

12 A. Right.

13 Q. 1633 he's pulling in. Is that the location
14 where you recall his vehicle when you arrived?

15 A. Right. As you see, he's parked. He's not
16 popped out from the other side of that truck, therefore,
17 the entrance is blocked.

18 Q. You can see over to the front of his car --

19 A. Yeah.

20 Q. The vehicle coming up there now, do you
21 recognize who that is?

22 A. Trooper Walker.

23 Q. You believe that to be Trooper Walker; so that
24 car there pulled up around 1631, and you believe that to

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1 be your vehicle pulling in behind Trooper Walker?

2 A. Yes.

3 Q. 1631, 17, 18. Believe that to be you getting
4 out of your vehicle?

5 A. Yes.

6 Q. And walked around the back of it? So you
7 arrived within less than a minute of Sigulinsky?

8 A. Right.

9 Q. And you walked where at that point? Into the
10 parking lot, where did you go?

11 A. Over to where the vehicles were.

12 Q. Okay. You walked directly to the vehicles?

13 A. Yes.

14 Q. Sig had only been there for just a couple of
15 -- less than a minute.

16 A. I thought he'd been there longer than that
17 but, yeah, I guess so.

18 Q. Well, as a matter of fact, he testified he --
19 as a matter of fact, he had testified he had a long
20 conversation before you got there. Couldn't have done
21 that, could he, because you were there within less than
22 a minute of he?

23 A. Unless he's referring to that guy I don't
24 know.